

I hereby certify that, on the date shown below, this correspondence, including listed enclosures, is being:

☐ deposited with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

☐ under 37 CFR § 1.8(a), with sufficient postage as first class mail, or

☐ under 37 CFR § 1.10, as "Express Mail Post Office to Addressee" Mailing Label No. _____

☐ transmitted by facsimile to the Patent and Trademark Office,

Fax Number _____

☒ transmitted via the Office electronic filing system in accordance with 37 CFR § 1.6(a)(4)

Date: 19 January 2009

By: /Susan J. Myers Fitch/
Susan J. Myers Fitch

PATENT IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Kuroda

APPLICATION NO.: 10/539,992

FILED: December 9, 2003

FOR: **PLANT WITH REDUCED PROTEIN
CONTENT IN SEED, METHOD OF
CONSTRUCTING THE SAME AND
METHOD OF USING THE SAME**

EXAMINER: WORLEY, Cathy Kingdon

ART UNIT: 1638

CONFIRMATION NO.: 8318

Response to Notice of Non-Compliant Amendment Under 37 C.F.R. § 1.121

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has considered the Notice of Non-Compliant Amendment mailed 18 November 2008 in the above-identified application. Reconsideration of the claims in light of the remarks that follow is respectfully requested. Accompanying this Amendment is a request for a one-month extension of time, extending the period for reply up to and including 18 January 2009. Because 18 January 2009 falls on a Sunday, a response filed today, Monday, 19 January 2009, should be deemed to have been filed within the statutory period pursuant to 37 CFR 1.7(a) (see M.P.E.P. § 710.05).

Amendments to the Claims begin on page 2.

Remarks begin on page 12 of this paper.